Writ petition No. 647 (M/S) 2003

Mohan Chandra Bhatt--- Petitioner

Versus

Shakeel Ahamad and others Respondents

Hon'ble M.M. Ghildiyal J.

Heard Sri Sharad Sharma learned counsel for the petitioner and Sri G.B.Pandey learned counsel for the respondent no. 1.

The petitioner has challenged the order dated 18.6.2003 passed by respondent no.3, Civil Judge (Senior Division) Pithoragarh and order dated 8.7.2003 passed by the District Judge, Pithoragarh by which the application of the plaintiff-petitioner for injection was rejected. The plaintiff filed suit for injunction restraining the defendant from raising constructions over the land in dispute and application for injunction as filed which was rejected by the learned trial court. Against which an appeal was filed which was dismissed by the District Judge. Hence this writ petition.

Both the parties have agreed that the trial court may be directed to decide the suit itself within a specified period. The prayer is innocuous.

The Civil Judge (Senior Division) Pithoragarh is directed to decide suit no. 6/2003 Mohan Chandra Bhatt Vs.Shakeel Ahmad as early as possible preferable within a period of three months.

With these observations the petition is disposed of finally. August 21, 2003

(M.M. Ghildiyal, J.)

MPS